

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

### INVENTOR AND SPECIFICATION IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### TOUCH SWITCH WITH INTEGRAL CONTROL CIRCUIT

TITLE OF INVENTION

the specification of which:

\_\_\_\_\_ is attached hereto.

X \_\_\_\_\_ was filed on 01/19/99 as Application Serial No. 09/234,150  
and was amended on \_\_\_\_\_ (*if applicable*).

\_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_  
(*if any*).

### REVIEW OF PAPERS AND ACKNOWLEDGEMENT OF DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention claimed in the above-identified specification was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, and that the same was not in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the Patent and Trademark Office information which I know is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

### FOREIGN APPLICATIONS AND PRIORITY CLAIM

The invention claimed in the above-described specification has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate

or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

#### DOMESTIC PRIORITY CLAIM

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States patent application(s) listed below and, insofar as this application discloses or claims subject matter in addition to that disclosed in the below listed priority applications, I acknowledge the duty to disclose to the Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date(s) of the below-listed prior application(s) and the national or PCT international filing date of this application.

\_\_\_\_\_  
(APPLICATION SERIAL NO.)

\_\_\_\_\_  
(FILING DATE)

\_\_\_\_\_  
(STATUS: PATENTED, PENDING, ABANDONED)

\_\_\_\_\_  
(APPLICATION SERIAL NO.)

\_\_\_\_\_  
(FILING DATE)

\_\_\_\_\_  
(STATUS: PATENTED, PENDING, ABANDONED)

#### POWER OF ATTORNEY

I hereby appoint Ronald L. Wanke (Reg. No. 22,725), Stanley A. Schlitter (Reg. No. 28,799), Michael S. Walsh (Reg. No. 29,454), Richard P. Beem (Reg. No. 32,961), Eric H. Weimers (Reg. No. 33,048), Mark K. Suri (Reg. No. 36,024), Patrick L. Patras (Reg. No. 37,695), Robert W. Gustafson (Reg. No. 39,208), Richard I. Stamm (Reg. No. 39,385) and Mark P. Vrla (Reg. No. 43,973) each registered to practice before the Patent and Trademark Office and practicing at the firm of JENNER & BLOCK, Chicago, Illinois, my attorneys with full power of substitution and revocation, to prosecute this application, to make alterations or amendments therein, to receive the patent and transact all business in the Patent and Trademark Office connected therewith.

All **CORRESPONDENCE** should be addressed to:

PATENT DOCKET CLERK  
JENNER & BLOCK  
ONE IBM PLAZA  
CHICAGO, IL 60611

All **TELEPHONE INQUIRIES** may be directed to the following attorney at (312) 222-9350:

Stanley A. Schlitter

I hereby declare I have read this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

HAND PRINT DATE BEFORE SIGNING

Full name of sole or first joint inventor

David W. Caldwell

Citizenship United States

Inventor's Signature

*David W. Caldwell*

Date March 17 1999

Residence

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Full name of second joint inventor

Citizenship

Inventor's Signature

Date

Residence

Post Office Address

Full name of third joint inventor

Citizenship

Inventor's Signature

Date

Residence

Post Office Address

Full name of fourth joint inventor

Citizenship

Inventor's Signature

Date

Residence

Post Office Address

Full name of fifth joint inventor

Citizenship

Inventor's Signature

Date

Residence

Post Office Address

\_\_\_\_ If this line is checked, the signature page is continued on the attached Addendum.

WHEREAS, DAVID W. CALDWELL, an individual of 1536 Chippewa Drive, Naperville, Illinois 60563, U.S.A., (hereinafter referred to as "Assignor"), is the owner of the entire right, title and interest of the invention described in U.S. Patent Application No. 09/234,150 entitled TOUCH SWITCH WITH INTEGRAL CONTROL CIRCUIT (hereinafter the "Patent Application");

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee the full and exclusive right, title and interest in said invention, said Patent Application and any and all Patents which may be granted therefor in the United States, and any and all Foreign Patents which may be granted worldwide which are based thereupon, or claim priority therefrom. I hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Patent that may be granted upon said Patent Application to said Assignee for Assignee's sole use, advantage, profit and benefits accruing or belonging thereto;

SIGNED at Wheaton U. S. A.  
City or Town Country

David W. Caldwell  
DAVID W. CALDWELL

  
TOUCHSENSOR TECHNOLOGIES, LLC  
by Wallace C. Leyshon, President and CEO

Before me, a Notary Public in and for the County and State aforesaid, appeared DAVID W. CALDWELL and WALLACE C. LEYSHON to me personally known to be the signers of the foregoing instrument, and acknowledged execution of said instrument as a free and voluntary act for the uses and purposes therein expressed.

## Notar Public

